

**Federal Defenders
OF NEW YORK, INC .**

Southern District
81 Main Street, Suite 300
White Plains, N.Y. 10601-4150
Tel: (914) 428-7124 Fax: (914) 948-5109

David E. Patton
*Executive Director
and Attorney-in-Chief*

*Southern District of New York
Jennifer L. Brown
Attorney-in-Charge*

Via E-mail and ECF

March 11, 2021

The Honorable Andrew E. Krause
Magistrate Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: United States v. Roberto Minuta
21 mj 02575

Dear Judge Krause:

I am writing to update Your Honor about Mr. Minuta's bond and to ask that the terms of his bond be modified by removing the language that suggests that he must, in addition to posting \$25,000 collateral, also surrender silver.

As background, as I am sure Your Honor recalls Mr. Minuta was released pursuant to a \$150,000 bond that was to be secured with \$25,000 of collateral by March 17, 2021. During the initial appearance, I informed Your Honor that I expected that the bond would be secured with silver bars or with the proceeds from the sale of the silver bars. But after his release, Mr. Minuta realized that he would likely not meet the March 17th deadline if he relied on the silver for the collateral. Because of this, Mr. Minuta used cash from a different source to secure his bond. As demonstrated by the attached documentation, on March 10, 2021 Mr. Minuta deposited a bank check worth \$25,000 with the Clerk to meet the bond's requirement regarding secured collateral.

While the bond is clear that it may be secured with a bank check, it also lists as an "additional condition" that Mr. Minuta "Surrender silver bars as part of \$25,000 security by 3./17/2021." Since Mr. Minuta has posted a bank check worth \$25,000, the language regarding the silver bars seems unnecessary and could cause confusion in the future. Because of this, I ask that the bond be modified to remove the language that suggests that Mr. Minuta must also surrender the silver.¹ I

¹ Specifically, I ask that Your Honor remove the "additional condition" that states that Mr. Minuta must "Surrender silver bars as part of \$25,000 security by 3/17/21". See Bond, Page 2.

have communicated with AUSA Gianforti and Pre-Trial Officer Andrew Abbott and both agree that Mr. Minua has met his obligation to post \$25,000 of collateral and both agree with my suggestion that the bond be modified by removing the language suggesting that Mr. Minuta must also surrender the silver.²

Thank you very much for your consideration.

Respectfully,

/s

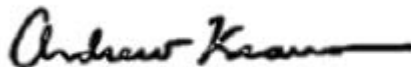
Benjamin Gold

cc: AUSA Benjamin Gianforti (via email)
PreTrial Officer Andrew Abbott (via email)

Defendant's application (ECF No. 7) is **GRANTED**. In light of the fact that Defendant has satisfied his obligation to post assets (in this case, cash) in the amount of \$25,000, Defendant is no required to post or surrender his silver bars in order to satisfy his bond obligations. The "silver bars" requirement was included in the bond because it was the Court's understanding, based on colloquy with counsel, that the surrender of the silver bars would be necessary for Defendant to satisfy the secured portion of the bond. As documented here and as confirmed by the Government, Defendant has been able to satisfy the \$25,000 secured portion of the bond through means other than the surrender of the silver bars. Because this bond condition has been satisfied, no further action is required with respect to the silver bars.

Dated: March 12, 2021

SO ORDERED.



ANDREW E. KRAUSE
United States Magistrate Judge

² Alternatively, Your Honor could make a ruling that the \$25,000 of collateral has been posted and that Mr. Minuta is not required to post or surrender the silver bars.

Proof that \$25,000 was Deposited with the Court

**(Personal Information / Account Information
Redacted)**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FILENAME - PACRD FORMS\ CASH BAIL ORDER (Rev. 5/09)

United States of America

Government

-against-

Roberto A. Minuta

Defendant(s)

CASH BAIL ORDER

Before Judge Andrew E. Krause U.S.M.J.

Case Number: 21-MJ-2575 (UA)-1

M19-1-14355

OFFICE OF THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

It is hereby certified that bail of the above defendant was fixed on 3/8/2021 by the Honorable Andrew E. Krause, United States Magistrate Judge, for the S.D.N.Y, in the amount of \$25,000.00 Personal Recognizance Bond, in bank check with the Clerk of the Court, U.S.D.C. for the S.D.N.Y. for the appearance of the defendant before this court.

Dated: March 8, 2021
White Plains, New York

So Ordered

/s/ Andrew E. Krause
United States Magistrate Judge

DEPOSITED BY:

NAME	Roberto Minuta
ADDRESS	
CITY/STATE	
PHONE #	

Court Name: District Court
Division: 7
Receipt Number: [REDACTED]
Cashier ID: [REDACTED]
Transaction Date: 03/13/2021
Payer Name: [REDACTED]

TREASURY REGISTRY
For: ROBERTO A MINUTA
Case/Party: 0-NYS-7-21-NJ-002575-001
Amount: \$25,000.00

CHECK
Check/Money Order Num: [REDACTED]
Amt Tendered: \$25,000.00

Total Due: \$25,000.00
Total Tendered: \$25,000.00
Change Amt: \$0.00

W19-1-14355